

## **REMARKS**

Claims 1-7 and 11-20 are all of the currently pending claims with claims 1 and 16 being written in independent form. By virtue of this Amendment, Applicants cancel claims 9 and 10 without prejudice or disclaimer.

### **I. April 29, 2005 Preliminary Amendment:**

As a preliminary matter, it appears that the Examiner has neglected to consider the April 29, 2005 Preliminary Amendment. This is because, for example, the Preliminary Amendment added new claims 9-20. In the Office Action, however, the Examiner makes no indications with respect to these new claims.

For the Examiner's convenience, Applicants enclose a courtesy copy of the April 29, 2005 Preliminary Amendment and the dated stamped filing receipt as evidence that the USPTO received the Preliminary Amendment.

### **II. Claim Rejection Under 35 USC § 112(2<sup>nd</sup>):**

The Examiner rejects claims 1-7 under 35 USC § 112(2<sup>nd</sup>) because claims 1 and 2 recite the term "can be," which renders the claim indefinite. However, Applicants deleted the objectionable term from claims 1 and 2 via the April 29, 2005 Preliminary Amendment. Accordingly, Applicants respectfully request reconsideration and withdrawal of the raised rejection.

### **III. Allowable Subject Matter:**

At paragraph 2 of the Office Action, the Examiner indicates that claims 1-7 would be allowable if they were amended to overcome the rejections under 35 USC § 112(2<sup>nd</sup>). As noted above, the pending claims (as amended via the April 29, 2005 Preliminary Amendment) do not recite the objectionable term "can be," and therefore should be allowed.

The Examiner also provides a Statement of Reasons for Allowance. Applicants respectfully submit that the Statement does not accurately restate the claimed invention. This is because the Statement is based on the version of the claims without the April 29,

2005 Preliminary Amendment. Accordingly, the Statement should not, in any way, affect the pending claims, which should be construed only based upon the features recited therein.

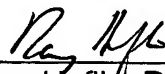
### **CONCLUSION**

In view of the above, Applicants earnestly solicit reconsideration and allowance of all of the pending claims.

Should there be any matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,  
HARNES, DICKEY, & PIERCE, P.L.C.

By:   
Ray Heflin, Reg. No. 41,060

P.O. Box 8910  
Reston, Virginia 20195  
(703) 668-8000

DJD/HRH:Img